

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCOVICH

Plaintiff(s),

No. C-08-01736 EDL

v.

ORDER OF CONDITIONAL DISMISSAL

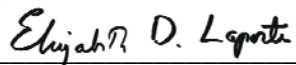
VITAMIN SHOPPE INDUSTRIES INC. ET AL

Defendants.

The Court has been informed that the parties have agreed to a settlement of this cause. Accordingly, IT IS HEREBY ORDERED that this case is dismissed without prejudice, with leave to reinstate on or before 90 days for the purpose of proceeding with the litigation in the event a settlement has not been completed prior to that date. In the event a request to reinstate the case is not filed and served on opposing counsel on or before the foregoing date, the dismissal will be with prejudice.

IT IS SO ORDERED.

Dated: December 1, 2009



ELIZABETH D. LAPORTE
United States Magistrate Judge